

75-3-605. Demand for bond by interested person.

If bond is excused as provided in Section 75-3-603, any person apparently having an interest in the estate worth in excess of \$5,000, or any unsecured creditors having a claim in excess of \$5,000, may make a written demand that a personal representative give bond. The demand shall be filed with the registrar and a copy mailed to the personal representative, if appointment and qualification have occurred. Thereupon, bond is required, but the requirement ceases if the person demanding bond ceases to be interested in the estate, or withdraws the demand. After he has received notice and until the filing of the bond or cessation of the requirement of bond, the personal representative shall refrain from exercising any powers of his office except as necessary to preserve the estate. Failure of the personal representative to meet a requirement of bond by giving suitable bond within 30 days after receipt of notice is cause for his removal and appointment of a successor personal representative.

Amended by Chapter 21, 1985 General Session